

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 126 be amended to read as follows:

- 1       Page 2, line 21, delete "If" and insert "**Except as provided in**
- 2       **subsection (c), if**".
- 3       Page 3, after line 13, begin a new paragraph and insert:
- 4       "**(c) A new replacement covenant described in subsection (b)**
- 5       **does not apply to and is not binding on property in one (1) section**
- 6       **of lots if one (1) or more of the following apply:**
- 7               **(1) The average lot size of all lots in the section is at least**
- 8               **twenty-five percent (25%) larger or smaller than the average**
- 9               **lot size of all lots in a development described in subsection (a).**
- 10              **(2) The average home size of all homes in the section is at least**
- 11              **twenty-five percent (25%) larger or smaller than the average**
- 12              **home size of all homes in a development described in**
- 13              **subsection (a).**
- 14              **(3) The average assessed value of all property in the section is**
- 15              **at least twenty-five percent (25%) larger or smaller than the**
- 16              **average assessed value of all property in a development**
- 17              **described in subsection (a).**
- 18              **(d) A new replacement covenant described in subsection (b)**
- 19              **applies only prospectively, beginning on the date the covenant is**
- 20              **recorded. The adoption of a new replacement covenant does not**
- 21              **require a person to alter the person's home or lot to comply with**

1     **the new replacement covenant if the condition of the person's home**  
2     **or lot was permissible or authorized under the previous covenant.".**  
       (Reference is to SB 126 as printed January 18, 2013.)

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Senator HOLDMAN